IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 18TH OCTOBER 2007 / 26TH ASWINA 1929

WP(C).No. 27513 of 2007(S)

PETITIONER:

KUNDUKATTIL ABDUL MUNEER,
S/O.SAIDALI, KUNDUKATTIL HOUSE,
PARAVAKKAL, KADUNGAPURAM P.O.
ANGADIPURAM, MALAPPURAM.

BY ADV. SRI.SAJU.S.A

RESPONDENTS:

KUNDIL PEEDIAKKAL BUSHRA,
D/O.AYAMU, KUNDIL PEEDIAKKAL HOUSE,
PAZHAMALLUR P.O., KOOTTILANGADI,
MALAPPURAM.

BY ADV. SRI.K.SHIBILI NAHA
SMT.A.LOWSY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) No. 27513 of 2007 APPENDIX

PETITIONER'S EXHIBITS

Ext.P1: True copy of O.P 668/2006 dated 30.11.2006 before the Family Court, Malappuram.

Ext.P2: True copy of the counter in O.P 668/2006 dated 27.07.2007 before the Family Court, Malappuram.

Ext.P3: True copy of application dated 05.09.2007 in O.P 668/2006 along with the endorsement.

//True copy//

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KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

W.P.(C) No.27513 of 2007

Dated this the 18th day of October 2007

JUDGMENT

Kurian Joseph,J

Heard Sri.Saju S.A appearing for the petitioner and Sri.Shibili Naha appearing for the respondent.

Petitioner is aggrieved by the exparte order passed by the Family court Malappuram in O.P 668/2006 . Petitioner is the respondent in the said Original Petition. He filed Ext.P3 application under Order IX Rule 13 of the C.P.C . It appears that the same has been returned by the Family court directing the petitioner herein to file a petition to set aside the exparte order. Precisely what is that is done in Ext.P3 application. There will be a direction to the Family court Malappuram to receive Ext.P3 application and pass orders thereon on merits within a period of one month from the date of production of a copy of this judgment. The parties will appear before the Family court on 19-11-2007. Interim order passed by this Court on 17-9-2007 will continue till such time.

KURIAN JOSEPH, JUDGE

HARUN-UL-RASHID, JUDGE

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